## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA HARRISONBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

JAN 1 2 2006

JOHN F. CORCORAN, CLERK BY: DEPUTY CLERK

JOHN PAUL LUCAS,	)	
Plaintiff,	Civil Action No. 5:05CV0	0023
v.	) <u>FINAL ORDER</u>	
JO ANNE B. BARNHART,	) By: Samuel G. Wilson	
Commissioner of Social Security,	) United States District Jud	ge
Defendant.	)	
Delenuant.	)	

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable B. Waugh Crigler, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that an order be entered remanding the case to the Commissioner for further proceedings. Objections to the report and recommendation have not been filed, and the court, upon review of the record, is of the opinion that the report should be adopted. It is accordingly, **ORDERED** and **ADJUDGED** that the case is **REMANDED** to the Commissioner for further proceedings. In the event the Commissioner is unable to grant benefits on the extant evidence, she is to recommit the case to a Law Judge for further proceedings in which both sides may introduce additional evidence, and this case is **ORDERED** stricken from the docket of the court.

ENTER: This January 12, 2006.

UNITED STATES DISTRICT JUDGE